

Attorney Docket No. 0756-7243
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2815
Kazuo NISHI et al.) Examiner: Matthew Warren
Serial No. 10/749,552)
Filed: January 2, 2004)
For: SEMICONDUCTOR DEVICE AND)
METHOD OF MANUFACTURING)
THEREOF)

RECEIVED
JUN 13 2008
OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

06/16/2008 CKHLOK 00000020 10749552

01 FC:1464

130.00 OP

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285
Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789

RECEIVED

JUN 13 2008

OFFICE OF PETITIONS

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/749,552

Filing Date January 2, 2004

First Named Inventor Kazuo NISHI et al.

Group Art Unit 2815

Examiner Name M. Warren

Attorney Docket Number 0756-7243

ENCLOSURES (check all that apply)

Fee Transmittal Form
 Fee Attached
 Amendment / Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)
 Drawing(s)
 Declaration and Power of Attorney
 Licensing-related Papers
 Petition to Withdraw from Issue
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____

After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosures
 1. Request for Continued Examination
 2.
 3.
 4.
 5.
 6.

Remarks

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
-------------------------------	--

Signature	
-----------	---

Date	June 13, 2008
------	---------------

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Type or printed name	
----------------------	--

Signature	Date
-----------	------

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2007

Effective 09/30/2007. Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 940.00)*Complete if Known*

Application Number	10/749,552
Filing Date	January 2, 2004
First Named Inventor	Kazuo NISHI et al.
Examiner Name	Matthew E. Warren
Group Art Unit	2815
Attorney Docket No.	0756-7243

RECEIVED**JUN 13 2008****OFFICE OF PETITIONS****METHOD OF PAYMENT**

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-2280

Deposit Account Name

Robinson Intellectual Property Law Office

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	310	2001 155 Utility filing fee	
1111	510	2111 255 Search fee	
1311	210	2311 105 Examination fee	
Over 100 Sheets/260 for each additional 50			

SUBTOTAL (1)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X \$50	=
Independent Claims	-3** =	X \$210	=
Multiple Dependent		=	

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	50	2202 25 Claims in excess of 20
1201	210	2201 105 Independent claims in excess of 3
1203	370	2203 185 Multiple dependent claim, if not paid
1204	210	2204 105 ** Reissue independent claims over original patent
1205	50	2205 25 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

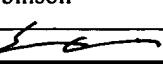
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1051	130	2051 65 Surcharge – late filing fee or oath	
1052	50	2052 25 Surcharge – late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	120	2251 60 Extension for reply within first month	
1252	460	2252 230 Extension for reply within second month	
1253	1,050	2253 525 Extension for reply within third month	
1254	1,640	2254 820 Extension for reply within fourth month	
1255	2,230	2255 1,115 Extension for reply within fifth month	
1401	510	2401 255 Notice of Appeal	
1402	510	2402 255 Filing a brief in support of an appeal	
1403	1,030	2403 515 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	510	2452 255 Petition to revive – unavoidable	
1453	1,540	2453 770 Petition to revive – unintentional	
1501	1,440	2501 720 Utility issue fee (or reissue)	
1502	820	2502 410 Design issue fee	
1503	1,130	2503 565 Plant issue fee	
1462	400	1462 400 Petitions, Group I	\$130.00
1463	200	1463 200 Petition, Group II	
1464	130	1464 130 Petitions, Group III	
1807	50	1807 50 Processing fee under 37 CR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	810	2809 405 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810 405 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	810	2801 405 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	\$810.00
Other fee (specify) _____			

* Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** \$ 940.00**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY*Complete (if applicable)*

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature				Date	June 13, 2008

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2007

Effective 09/30/2007. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 940.00)*Complete if Known*

Application Number	10/749,552
Filing Date	January 2, 2004
First Named Inventor	Kazuo NISHI et al.
Examiner Name	Matthew E. Warren
Group Art Unit	2815
Attorney Docket No.	0756-7243

RECEIVED
JUN 13 2008
OFFICE OF PETITIONS

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
50-2280Deposit Account Name
Robinson Intellectual Property Law Office

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	310	2001 155 Utility filing fee	
1111	510	2111 255 Search fee	
1311	210	2311 105 Examination fee	
Over 100 Sheets/260 for each additional 50			

SUBTOTAL (1) **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X \$50 =	
Independent Claims	-3** =	X \$210 =	
Multiple Dependent		=	

Large Entity Fee Code	Small Entity Fee Code	Fee Description (\$)
1202	50	2202 25 Claims in excess of 20
1201	210	2201 105 Independent claims in excess of 3
1203	370	2203 185 Multiple dependent claim, if not paid
1204	210	2204 105 ** Reissue independent claims over original patent
1205	50	2205 25 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	120	2251	60 Extension for reply within first month	
1252	460	2252	230 Extension for reply within second month	
1253	1,050	2253	525 Extension for reply within third month	
1254	1,640	2254	820 Extension for reply within fourth month	
1255	2,230	2255	1,115 Extension for reply within fifth month	
1401	510	2401	255 Notice of Appeal	
1402	510	2402	255 Filing a brief in support of an appeal	
1403	1,030	2403	515 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	510	2452	255 Petition to revive - unavoidable	
1453	1,540	2453	770 Petition to revive - unintentional	
1501	1,440	2501	720 Utility issue fee (or reissue)	
1502	820	2502	410 Design issue fee	
1503	1,130	2503	565 Plant issue fee	
1462	400	1462	400 Petitions, Group I	\$130.00
1463	200	1463	200 Petition, Group II	
1464	130	1464	130 Petitions, Group III	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	810	2809	405 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810	405 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	810	2801	405 Request for Continued Examination (RCE)	\$810.00
1802	900	1802	900 Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

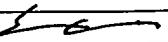
SUBTOTAL (3)

\$ 940.00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on _____

SUBMITTED BY*Complete (if applicable)*

Name (Print/Type) Eric J. Robinson	Registration No. (Attorney/Agent) 38,285	Telephone (571) 434-6789
Signature 		Date June 13, 2008

Attorney Docket No. 0756-7243
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2815
Kazuo NISHI et al.) Examiner: Matthew Warren
Serial No. 10/749,552)
Filed: January 2, 2004)
For: SEMICONDUCTOR DEVICE AND)
METHOD OF MANUFACTURING)
THEREOF)

RECEIVED
JUN 13 2008
OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285
Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789